

Magistrate Judge Theiler

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JONG CHUN BAE,
Defendant.

CR06-0442-MAT

[PROPOSED] ORDER TO
CONTINUE TRIAL DATE
UNDER SPEEDY TRIAL ACT

THIS MATTER came before the Court on the stipulated motion by the parties for an Order continuing the trial date from January 29, 2007, until on or after February 26, 2007.

The motion is brought on the grounds that, although the parties have acted diligently, they require additional time to investigate the causes for the alleged incident, specifically through referral of defendant to certain counseling; that the results of the counseling are important to both parties, in that these results possibly will assist the parties in fashioning an appropriate resolution of the case short of trial; and that this process is not expected to be sufficiently complete before the current trial date.

Accordingly, the parties believe that a continuance is necessary so that the parties can receive and consider the results from defendant's counseling; and that the extension would allow the defense and the government the reasonable time necessary for adequate and effective preparation, taking into account the exercise of due diligence.

Having considered these arguments from the parties, and all other matters of record, and being fully advised in the premises,

THE COURT HEREBY FINDS that, for the reasons set forth in the parties stipulated motion, the ends of justice to be served by granting the requested continuance outweigh the interest of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(8)(A). NOW THEREFORE,

IT IS HEREBY ORDERED that the stipulated motion of the parties to continue the trial herein beyond January 29, 2007, is hereby GRANTED, and the trial date is hereby continued until February 26, 2007, at 10:00 am in Courtroom 12B.

IT IS FURTHER ORDERED that, following the defendant's execution of a Waiver of the Speedy Trial Act in this regard, the period of delay from January 29, 2007, until February 26, 2007 shall be excludable, pursuant to 18 U.S.C. §§ 3161(h)(8)(A), (B)(ii) and (B)(iv), for the purpose of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161.

DATED this 17th day of January, 2007.



Mary Alice Theiler
United States Magistrate Judge

Presented by:

s/ Lawrence Lincoln

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